



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



233949

REPLY TO THE ATTENTION OF:

Calumet Containers Site
SE-5J

MAY 19 2004

**PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

Defense Reutilization and Marketing Service
Hart Dole Inouye Federal Center
74 N. Washington Ave.
Battle Creek, MI. 49017-3092

Attention: Richard Fowle, Mail Stop DRMS-W

Re: Request for Information Pursuant to Section 104 of CERCLA for the Calumet Containers Site, in Hammond, Lake County, Indiana

Dear Mr. Fowle:

The United States Environmental Protection Agency (U.S. EPA) seeks your cooperation in providing information and documents relating to the contamination of the Calumet Containers Superfund Site at 3631 State Line Avenue, in Hammond, Lake County, Indiana (the Site). We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within twenty-one (21) days of your receipt of this letter.

U.S. EPA is investigating the release or threat of release of hazardous substances, pollutants, or contaminants at the Site. U.S. EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and methods used to dispose of these substances, and identify activities, materials, and parties that contributed to contamination at the Site. U.S. EPA will study the effects of these substances on the environment and public health. U.S. EPA believes that you might possess information which may assist the Agency in its investigation of the Site.

Calumet Containers Corporation, formerly known as Steel Container Corporation, reconditioned steel drums and pails and processed fiber drums at the Site from the 1960s until a fire destroyed the facility in 1982. Most of the containers that were serviced were used in the paint and graphic arts industries. U.S. EPA collected surface soil samples during the site assessment conducted in February, April, and May 2002; analytical results revealed elevated levels of lead, cadmium, and polychlorinated biphenyls (PCBs).

Under Section 104(e)(2) of CERCLA, 42 U.S.C. §9604(e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
- (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (C) Information relating to the ability of a person to pay for or to perform a cleanup.

While U.S. EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. §1001. The information you provide may be used by U.S. EPA in administrative, civil, or criminal proceedings.

Some of the information U.S. EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish U.S. EPA to treat the information confidentially, you must advise U.S. EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

Section 104 of CERCLA, 42 U.S.C. §9604, authorizes U.S. EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to requests for submissions of required information.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §3501 et seq.

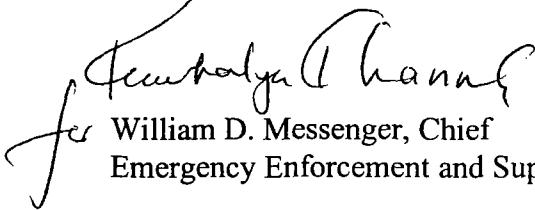
Instructions on how to respond to the questions in Attachment B to this document are described in Attachment A. To assist you with your response, U.S. EPA is enclosing a copy of the 1989 affidavit of John Jagiella, former owner of Calumet Containers Corporation, in which he states that Calumet Containers Corporation picked up drums from the Grissom Air Force facility (Attachment C). Your response to this Information Request should be mailed to:

U.S. Environmental Protection Agency
Attn.: Sally Jansen, Enforcement Specialist
Emergency Enforcement & Support Section, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

If you have questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of cleanup activities, please contact On-Scene Coordinator Verneta Simon at (312) 886-3601 or Assistant Regional Counsel Richard Murawski at (312) 886-6721. However, if you have specific questions about the Information Request, please contact Enforcement Specialist Sally Jansen at (312) 353-9046.

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,

A handwritten signature in cursive script, appearing to read "William D. Messenger".

William D. Messenger, Chief
Emergency Enforcement and Support Section

Enclosures

cc: Judith Malmquist, Esq., DRMS - Battle Creek

E.6
5-19-04

bcc:	Richard Murawski, ORC	C-14J
	Verneta Simon, OSC	SE-5J
	John Maritote, EESS	SE-5J
	Sally Jansen, EESS	SE-5J
	Stuart Hill, Public Affairs	P-19J
	Mardi Klevs, OSEA	B-19J
	Denise Battaglia, Public Affairs	P-19J
	Records Center	SMR-7J

**CALUMET CONTAINERS SITE
HAMMOND, LAKE COUNTY, INDIANA**

INFORMATION REQUEST

Sent to: Defense Reutilization and Marketing Service
Attn.: Richard Fowle, Mail Stop DRMS-W
Hart Dole Inouye Federal Center
74 N. Washington Ave.
Battle Creek, MI. 49017-3092

Date sent: **MAY 19 2004**

ATTACHMENT A
CALUMET CONTAINERS SITE
INFORMATION REQUEST
INSTRUCTIONS AND DEFINITIONS

Instructions

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.
3. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Information Request.
4. Identify Sources of Answer. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.
5. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, U.S. EPA hereby requests, pursuant to Section 104(e) of CERCLA, that you supplement your response to U.S. EPA.
6. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§9604(e)(7)(E) and (F), and Section 3007(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b).

If you make a claim of confidentiality for any of the information you submit to U.S. EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

8. Personal Privacy Information. Personnel and medical files, and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on **separate sheet(s), and marked as "Personal Privacy Information."**

9. Objections to Questions. If you have objections to some or all the questions within the Information Request letter, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to the following words as they appear in this Information Request.

1. The term "**arrangement**" means every separate contract or other agreement between two or more persons, whether written or oral.
2. The term "**documents**" includes any written, recorded, computer-generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control, or known by you to exist, including originals, all prior drafts, and all non-identical copies.
3. The term "**hazardous substance**" shall have the same definition as that contained in Section 101(14) of CERCLA, and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances.
4. The term "**identify**" means, **with respect to a natural person**, to set forth: (a) the person's full name; (b) present or last known business and home addresses and telephone numbers; (c) present or last known employer (include full name and address) with title, position or business.
5. The term "**identify**" means, **with respect to a corporation, partnership, or other business entity** (including a sole proprietorship), to provide its full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.
6. The term "**material**" or "**materials**" shall mean any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.
7. The term "**person**" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.
8. The term "**pollutant or contaminant**" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the

ATTACHMENT B
CALUMET CONTAINERS SITE
HAMMOND, LAKE COUNTY, INDIANA
INFORMATION REQUEST

1. **Identify all persons** consulted in the preparation of the answers to these Information Requests.
2. Identify all **documents** consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.
3. If **you** have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.
4. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances by you, your contractors, or by prior owners and/operators.
5. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. In addition, identify the following.
 - a. The persons with whom you or such other persons made such **arrangements**.
 - b. Every date on which such arrangements took place;
 - c. For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;
 - d. The owner of the waste materials or hazardous substances so accepted or transported;
 - e. The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
 - f. All tests, analyses, and analytical results concerning the waste materials;
 - g. The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;

ATTACHMENT C
CALUMET CONTAINERS SITE

Page copied from
Affidavit of John Jagiella,
signed 8/29/1989

U.S. Air Reserve Base

Zegers, Inc.

99. Calumet did business with Zegers, Inc., located south of Chicago, for approximately 1 to 2 years. Zegers manufactured paint.

100. We picked up used drums from Zegers, although I cannot recall the specific quantity. We did not sell any reconditioned containers to Zegers.

United States Army

101. On two or three occasions we picked up used oil drums from the Grissom Air Force facility in Peru, Indiana. We picked up a total of approximately 500-600 drums from their two facilities. Generally the used drums picked up had little, if any residue.

Hammond Solvents

102. Calumet did business with Hammond Solvents for approximately 5 or 6 years from 1972 until Hammond Solvents went out of business in approximately 1977. Hammond Solvents was in the business of reclaiming waste solvents.

103. We picked up approximately 200 used drums per week from Hammond Solvents and delivered approximately 200 reconditioned drums per month to these.